



Clean Energy Future Committee

Date: Friday April 23, 2021

Time: 8:15 a.m.

Location: Conducted via remote participation

To register for the Zoom Meeting:

<https://us02web.zoom.us/meeting/register/tZ0sc-2vqzgsHtwk3IW45Y7U-rH24AOfKMWD>

After registering, you will receive a confirmation email containing information about joining the meeting.

Members of the public are asked to send written comment to: kpruitt@town.arlington.ma.us.

Notice to the Public on meeting privacy

In the interests of preventing abuse of videoconferencing technology (e.g. "Zoom Bombing") all participants, including members of the public, wishing to participate via Zoom must register for each meeting and will notice multi-step authentication protocols. Please allow additional time to join the meeting. Further, members of the public who wish to participate without providing their name may still do so by telephone at 929-436-2866 Meeting ID: 891 4475 3648.

Documents related to the below agenda items follow as attachments to this document.

Agenda

8:15 – 8:20: Meeting ground rules

8:20 – 8:25: Review & Approve Minutes from 3/26/2021 meeting

8:25 – 8:40: Nominations and election of Committee officers

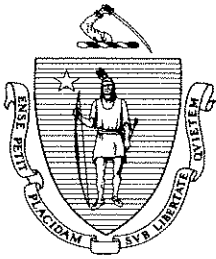
8:40 – 8:55: Town Meeting updates (Committee Report, Warrant Article 38)

8:55 – 9:15: Net Zero Action Plan priorities for after Town Meeting

Next meeting: May 28

Attachments:

- 1) Governor Charles Baker's 3/12/2020 Executive Order Suspending Certain Provisions of the Open Meeting Law
- 2) Draft minutes from 3/26/2021 meeting



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CHARLES D. BAKER
GOVERNOR

KARYN E. POLITO
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus ("COVID-19"); and

WHEREAS, many important functions of State and Local Government are executed by "public bodies," as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

WHEREAS, both the Federal Centers for Disease Control and Prevention ("CDC") and the Massachusetts Department of Public Health ("DPH") have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

WHEREAS, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

WHEREAS, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

WHEREAS section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

NOW THEREFORE, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

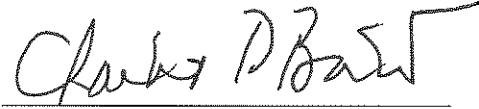
(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 6:40 PM this 12th day of
March, two thousand and twenty.

A handwritten signature in dark ink, appearing to read "Charles D. Baker", written over a horizontal line.

CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts



Clean Energy Future Committee Meeting Minutes

Draft – for approval at the 04-23-2021 meeting

March 26, 2021

8:15 – 9:30 a.m.

Virtual Meeting – Hosted on Zoom

Members present: Jim DiTullio, Ken Pruitt, Dave Levy, Emily Sullivan, Dan Amstutz, Pasi Miettinen, Ryan Katofsky, Nellie Akenhead, Marc Breslow, Diane Mahon, Shelly Dein, Coralie Cooper

Members not present: Adam Chapdelaine

The meeting convened at 8:18 a.m.

Video Meeting Procedures

Mr. Pruitt read a set of prepared remarks explaining the procedures that the Committee would follow to hold a virtual meeting. Governor Baker signed an Executive Order in response to the COVID-19 pandemic allowing virtual meetings, which suspended the usual Open Meeting Law requirement that a quorum of committee members be physically present in order to hold an official committee meeting.

Meeting Minutes

Mr. Pruitt displayed the Minutes from the February 26, 2021 Meeting. Mr. Pruitt asked the Committee to review the Minutes. Ms. Mahon motioned to approve the Minutes. Mr. Amstutz seconded the motion. A roll call vote was taken. The Members of the Committee who attended the Feb 26, 2021 Meeting unanimously approved the February 26, 2021 Meeting Minutes.

Agenda Item 1: Committee Officers and 2021 Committee Work Plan

Mr. Pruitt turned to the first agenda item: Committee officers and how the Committee would prioritize and schedule its work in calendar year 2021. Mr. Pruitt noted that the Committee's only official officer is Dave Levy as Minutes Secretary. Mr. Pruitt suggested there should also be a Chair, and other officer roles if desired by the Committee. He said the Chair of the Committee should be a resident and not a Town employee, especially because so much of the Committee's work will be focused on advocacy and campaigns to implement the Net Zero Action Plan. Mr. Pruitt noted that the April meeting could be the forum for those interested in becoming Chair and Minutes Secretary to state their candidacy and for there to be a vote. Mr. Pruitt suggested that

going forward, officer elections could happen at the January meeting, starting in January 2022.

Mr. Breslow asked what roles the Chair would have. Mr. Pruitt said the Chair would facilitate the Committee's meetings. In between meetings, the Chair would work with Mr. Pruitt and other Committee members to set agendas for upcoming meetings. Further, the Chair could be the Committee's public face in other forums such as Select Board meetings. Mr. Pruitt would continue in his role as primary staff support to the CEFC.

Ms. Mahon stated her broad agreement with Mr. Pruitt's comments. Ms. Mahon noted that procedurally, at the April meeting, there should be a motion to accept nominations, then a motion to nominate individuals for officers, then a motion to close nominations, then a vote for the actual officer. The procedure would repeat itself for each officer position.

Mr. Pruitt asked if those procedures should wait until the April meeting or if nominations should be opened now and left open until votes are taken at the April meeting. Ms. Mahon said all actions should occur at the April Meeting and asked if Mr. Pruitt would serve as the Pro-Tempore Chair to oversee the meeting until a Chair is formally elected. Mr. Pruitt agreed and recommended those procedural steps be taken in the April meeting.

Mr. Pruitt asked if the Committee wished to create any officer positions in addition to Chair and Minutes Secretary. Ms. Cooper noted that informally, there could be working groups, leads, etc. as various projects arise. Mr. Pruitt agreed that informal leaders could volunteer for projects and initiatives without having a formal officer role.

Mr. Katofsky said that, for this Committee, a Chair and Secretary are appropriate officers. He said he thought the Chair should not be responsible for attending all outside meetings on behalf of the Committee. There should instead be a "divide and conquer" approach to participation in other Town forums, where other Committee members step in to attend meetings. Mr. Pruitt said he agreed with this point.

Mr. Pruitt concluded that the April Meeting will be the forum for electing officers.

Mr. Pruitt then turned to 2021 Committee priorities. He cited Warrant Article 38 as the obvious priority for now through Town Meeting. He then noted the Committee would need to set its post-Town Meeting priorities. He suggested there could be a working group to review the Net Zero Action Plan and come up with a list of recommendations for priorities and organizing efforts to execute those priorities.

Mr. Katofsky volunteered. Mr. Breslow volunteered. Mr. Miettinen also volunteered. Mr. Pruitt thanked all three volunteers for volunteering.

Ms. Mahon noted that she had a recent discussion with Mr. Chapdelaine that there could be some funding available from the Recovery Act to help implement some projects from the Net Zero Action Plan. She asked Mr. Pruitt to follow-up with Mr. Chapdelaine to learn more.

Ms. Cooper noted that if a new “Stretch Code” is put in place, the Town would need to take steps to adopt and implement it. Mr. Pruitt explained that the recently enacted climate bill requires the Department of Energy Resources to come up with a new opt-in building energy stretch code that will include a definition for net zero buildings. Mr. Pruitt noted that the climate bill has various other provisions that will assist the Town in achieving net zero greenhouse gas emissions.

Agenda Item 2: Warrant Article 38

Mr. Pruitt turned to Warrant Article 38, which would allow homes on non-conforming lots to be fully rebuilt, including the foundation. He noted this measure is a priority measure in the Net Zero Action Plan. He said the article has been discussed at the Arlington Redevelopment Board (ARB). He noted that the ARB is meeting on April 5th to vote on whether to sponsor Article 38.

Mr. Pruitt then asked Mr. Miettinen to provide additional information. Mr. Miettinen noted that Mr. Katofsky proposed a letter to the ARB stating the CEFC’s support for the proposed Warrant Article and asking the ARB to vote to sponsor it. Mr. Miettinen then noted that various outreach efforts are needed to support this Article in advance of Town Meeting and that volunteers will be needed for a variety of efforts.

Ms. Cooper noted that for Warrant Article 13, the fossil fuel bylaw passed by Town Meeting in November 2020, there was a lot of outreach effort, and she asked how much effort this Article will require. Mr. Miettinen said a lot of work will be required in the coming weeks to achieve an approval at Town Meeting.

Mr. Pruitt displayed the letter drafted by Mr. Katofsky. Ms. Mahon motioned to approve the letter. Mr. Miettinen seconded the motion. Mr. Katofsky noted that the ARB has already reviewed the Warrant Article in detail. Mr. Katofsky asked Mr. Miettinen if the ARB supports the Warrant Article. Mr. Miettinen noted that the ARB has already submitted the Warrant Article to Town Meeting.

Mr. Amstutz asked if there has been any opposition to this Warrant Article. Mr. Miettinen said there has been criticism that the Warrant Article wasn’t tough enough in terms of the environmental benefits the measure would require. He also noted there have been other arguments raised that were more universally opposed to Zoning changes in general.

Mr. Breslow emphasized that the Q&A document will be important to develop quickly. Ms. Dein said that in the Q&A, there should be clear information to readers pointing out the importance of an insulated foundation to building an efficient home. Mr. Katofsky also noted that the proposed Zoning amendment’s permission to rebuild a foundation on a non-conforming lot is contingent on the resulting building having greater energy efficiency than required by the building code. Mr. Miettinen noted that to achieve the required efficiency level, heat pumps would likely be necessary.

Ms. Mahon noted that it is imperative that information be distributed to Town Meeting Members soon. She said there is a lot of misinformation circulating on the Accessory Dwelling Unit Warrant Article and does not want this Warrant Article to become subject to similar misinformation. Ms. Mahon emphasized that Zoning articles take more concentrated efforts to get passed, since they require a 2/3 vote.

A roll call was taken to support the letter as drafted to the ARB. The Committee unanimously approved the letter to be sent to the ARB as drafted.

Mr. Pruitt then recognized Mr. Pat Hanlon and Ms. Anne Wright, who led the Clean Heat for Arlington campaign, to offer guidance and support for this Warrant Article.

Mr. Hanlon noted that he is concerned, given the effort required for a campaign of this nature, that it has started so close to Town Meeting. He said Precinct Meetings have now become important venues for deliberation by Town Meeting Members. He noted it is important that Town Meeting Members be positioned to answer questions on the proposed Warrant Article. He also said he did not think the ARB would play a leading role in this outreach effort, and that most of the effort would fall to CEFC members.

Mr. Hanlon noted that questions about the Warrant Article will start at the Precinct Meetings and then continue through Town Meeting. He said the real problem politically is that this Article fits into the “tear down agenda” and noted there is broad opposition to anything that seems related. He stressed the importance of a simple FAQ document to make sure everyone can access information about the Warrant Article, but also suggested an additional more detailed FAQ for those who want a deeper dive. Mr. Hanlon noted that because there is a two-thirds majority requirement, it will be important to make sure the Warrant Article is explained well. He said that uncertainty will lead to “NO” votes.

Ms. Wright suggested a sub-committee be formed to draft the FAQ as soon as possible. She suggested two different FAQs: a simple “101” and more in-depth “201” version, similar to Mr. Hanlon’s suggestion. Ms. Wright emphasized every town meeting member be contacted and also noted Precinct Meetings are important and suggested that Precinct Captains be identified as well to further handle questions by Town Meeting Members.

Ms. Mahon noted that Select Board member Len Diggins has the complete schedule for Precinct Meetings, noting that meetings for different Precincts may be combined. Mr. Hanlon noted his meeting will occur on April 12th (Precinct 5).

Mr. Katofsky asked which other local groups active in climate change might be able to be recruited to help with Warrant Article 38. Ms. Wright said she didn’t know for sure. Ms. Cooper and Mr. Breslow volunteered to serve on a CEFC working group to lead advocacy. Ms. Aikenhead also volunteered. Mr. Hanlon noted allies are important because it is important trust in this initiative be achieved. Ms. Cooper noted that depending on the precinct, people in various precincts could email their Town Meeting Members on this topic.

Mr. Pruitt asked if the draft FAQ could be completed over the weekend and reviewed by working group members on Monday and Tuesday. He suggested a meeting of the working group could then be scheduled to plan next steps.

Ms. Dein noted some Committee Members are more in tune with Town Meeting than others but offered her support to speak at an upcoming Precinct Meeting.

Ms. Mahon moved to adjourn the meeting at 9:34am. The Committee unanimously approved the motion.

Meeting adjourned at 9:34am.

Submitted by Dave Levy.